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GEORGIA M. PESTANA
Acting Corporation Counsel

**THE CITY OF NEW YORK
LAW DEPARTMENT**

100 CHURCH STREET
NEW YORK, NY 10007

JASMINE PAUL
Administrative Law
and Regulatory Litigation Division
212-356-2192
Facsimile: (212) 356-2019
j paul@law.nyc.gov

November 6, 2020

BY ECF

Honorable Robert W. Lehrburger
United States Magistrate Judge
Southern District of New York
40 Foley Square, Room 1960
New York, New York 10007

Re: Abraham Gross, et al. v. The City of New York, et al., Civil Case No. 20-cv-4340

Dear Judge Lehrburger:

I am an attorney in the office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, counsel for defendants the City of New York, the New York City Department of Housing Preservation and Development (“HPD”), Louise Carroll, Shatara Pell, Nidia Dormi, Nicole London, Mark Matthews, Anne-Marie Hendrickson, Harold Weinberg, Nick Lundgren, Samantha Schonfeld, and James E. Johnson (collectively, the “City Defendants”), in the above-referenced action. At this time, my office has offered representation to Margaret Brown, Helen Rosenthal, and Baaba Halm but I have not received confirmation that they are accepting representation by my office. Further, my office has not yet been able to make a determination with regard to representation for Edwin Lugo and Victor Hernandez. Additionally, my office will not be representing Gabriel Mombrun. We submit this letter requesting that the appearance of the individually named City Defendants as well as the Defendants Margaret Brown, Helen Rosenthal, Baaba Halm, Edwin Lugo and Victor Hernandez be excused from the Settlement Conference scheduled for November 9, 2020.

Pursuant to paragraph five (5) of your Honor’s Settlement Conference and Mediation procedures “the parties-not just their attorneys-must attend the settlement conference in person.” However, we request that Defendants Louise Carroll, Shatara Pell, Nidia Dormi, Nicole London, Mark Matthews, Anne-Marie Hendrickson, Harold Weinberg, Nick Lundgren, Samantha Schonfeld, James E. Johnson, Margaret Brown, Helen Rosenthal, Baaba Halm, Edwin Lugo and Victor Hernandez be excused from participation in the Settlement Conference. Shatara

Pell, Nidia Dormi, Nicole London, Mark Matthews, Anne-Marie Hendrickson, Harold Weinberg, Samantha Schonfeld, James E. Johnson, Margaret Brown, Helen Rosenthal, Baaba Halm, Edwin Lugo and Victor Hernandez do not have settlement authority in this case on behalf of the City of New York and HPD and their appearance at the conference is not necessary for productive settlement discussions. Additionally, though Louise Carroll and Nick Lundgren may have settlement authority on behalf of HPD, they do not have sufficient knowledge about the facts of this action to be able to assist the Court. Moreover, it would be burdensome to require sixteen individuals, including the Corporation Counsel of the City of New York and the Commissioner of HPD, to be present at a remote conference. A representative from HPD and I can easily provide the Court with any information it may need during the conference and are sufficiently authorized to discuss potential settlement.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Jasmine Paul
Jasmine Paul
Assistant Corporation Counsel

cc: Abraham Gross. (by ECF)
Plaintiff *Pro Se*
40 W. 77th Street, Apt. 10C
New York, New York 10024

Laura B. Juffa, Esq.
KAUFMAN BORGEEST & RYAN LLP
Attorney for Breaking Ground Defendants
120 Broadway
New York, NY 10271

Jeanne-Marie Williams, Esq.
KELLNER HERLIHY GETTY & FRIEDMAN, LLP
Attorneys for Defendant Jeanne-Marie Williams
470 Park Avenue South -- 7th Floor
New York, NY 10016

SO ORDERED:

11/6/2020


HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE